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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/220,016 12/23/98 HOMAN

A 77682-7

EXAMINER

WM02/0731

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APPIAH, C

ART UNIT

PAPER NUMBER

2682

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AIR MAIL

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

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# Office Action Summary

Application No.  
09/220,016

Applicant  
Homan et al.

Examiner  
Charles Applah

Art Unit  
2682



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on May 10, 2001

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 27-34, 37, and 38 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 27-34, 37, and 38 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Response to Amendment*

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### *Claim Rejections - 35 USC § 103*

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 27, 28, 30, 32, 33 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shirai (6,104,924) in view of Michaels et al. (6,011,976)**.

With respect to claims 27 and 32 Shirai discloses a wireless terminal method and a wireless terminal comprising:

providing a memory on the wireless terminal which in an on-line mode is adapted to be treated as a local virtual memory by an application program running on a server to read and write data in the virtual memory related to the remote application program (“ . . . fixed station supplies to the mobile station the appropriate scripts which the mobile station is capable of utilizing, the mobile station stores the supplied scripts in its memory”, col. 5, lines 5-9), and

Shirai’s teaching of “operating the mobile station in accordance with the stored at least one script and receiving a user input to aid in configuring the operating features of the mobile station to

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select and implement at least one specific capability indicated in the terminal capabilities response without further contact with the fixed station”, (col. 6, lines 46-51), reads on providing a local application program on the wireless terminal which in an off-line mode has read access to the data in the virtual memory, in that by operating the mobile station in accordance with the stored script, it follows that the appropriate scripts that was provided by the fixed station were stored in a memory form which memory the stored script is used to operate the mobile station, hence this memory served as a virtual memory. Shirai thus read on the invention as claimed except the limitation of the local application having write access to the data stored in the virtual memory. In an analogous art, Michaels discloses a telecommunication system in which fixed memory locations which can be addressed over the air have read/write access control (see abstract, col. 2, lines 12-45, col. 5, lines 36-63). Hence it would have been obvious to one of ordinary skill in the art, at the time of the invention to provide write access to memory locations to which data has been downloaded in the system of Shirai for the benefit of dynamically updating fixed memory locations and render such memory locations accessible for reading or overwriting as taught by Michaels.

With respect to claims 28 and 33, Shirai further inherently teaches the wireless terminal downloading the local application program while in the on-line mode (“... downloading of the SMS-VT scripts from the fixed station to the mobile station . . .”, col. 4, lines 53-64).

With respect to claims 30 and 37 Shirai discloses a server method and a server, comprising:

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providing an application program running on the server (see col. 5, lines 4-6), the application program treating as local virtual memory a memory located on a wireless terminal while a connection between the server and the wireless terminal is established (“... fixed station supplies to the mobile station the appropriate scripts which the mobile station is capable of utilizing, the mobile station stores the supplied scripts in its memory”, col. 5, lines 5-9, col. 5, lines 53-56), while the connection is established and without wireless user intervention, sending to the wireless terminal a local application program which when run by the wireless terminal allows the wireless terminal read access to data in the memory related to the application program while in an off-line mode (“operating the mobile station in accordance with the stored at least one script and receiving a user input to aid in configuring the operating features of the mobile station to select and implement at least one specific capability indicated in the terminal capabilities response without further contact with the fixed station”, col. 6, lines 46-51).

Shirai thus read on the invention as claimed except the limitation of the local application having write access to the data stored in the virtual memory. In an analogous art, Michaels discloses a telecommunication system in which fixed memory locations which can be addressed over the air have read/write access control (see abstract, col. 2, lines 12-45, col. 5, lines 36-63). Hence it would have been obvious to one of ordinary skill in the art, at the time of the invention to provide write access to memory locations to which data has been downloaded in the system of Shirai for the benefit of dynamically updating fixed memory locations and render such memory locations accessible for reading or overwriting as taught by Michaels.

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4. Claims 29, 31, 34 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shirai and Michaels** as applied to claims 30 and 37 above, and further in view of **Folger et al. (5,337,044)**.

With respect to claims 29 and 34 Shirai further discloses configuring the operating features of the mobile station to select and implement at least one specific capability indicated in the terminal capabilities response without further contact with the fixed station (col. 6, lines 48-51), thus suggesting the capability of the mobile station to modify particular data in the virtual memory while in the off-line mode, but the combination of Shirai and Michael fail to specifically disclose outputting a message to the server containing updates for at least some of the particular data. In an analogous art, Folger discloses a system for remote control of a mobile computing system in which updates or modifications to files (including the most recent version of such files), stored on either a base computer or a mobile computer are exchanged between the base computer and the mobile computer (see col. 6, line 51 to col. 7, line 39). It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Folger with the system of Shirai and Michaels for the benefit of controlling and maintaining two different file systems without undue user participation leading to sophisticated control of remote terminals.

With respect to claims 31 and 38 Shirai's disclosure of the fixed station supplying the mobile station the appropriate scripts which the mobile station is capable of utilizing and which is stored in the memory of the mobile station (see col. 5, lines 6-9), reads on maintaining a mirror version of the local virtual memory in the server while the feature of configuring the operating

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features of the mobile to select and implement at least one specific capability indicated in the terminal capabilities response without further contact (col. 6, lines 46-51), reads on the local program modifying particular data in the virtual memory while in the off-line mode. Shirai as modified by Michaels, however, fail to specifically disclose receiving a message containing updates for at least some of the particular data and updating the mirror version accordingly.

In an analogous art, Folger discloses a system for remote control of a mobile computing system in which updates or modifications to files (including the most recent version of such files), stored on either a base computer or a mobile computer are exchanged between the base computer and the mobile computer (see col. 6, line 51 to col. 7, line 39). It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Folger with the system of Shirai and Michaels for the benefit of controlling and maintaining two different file systems without undue user participation leading to sophisticated control of remote terminals, by the synchronization and updating of specific modified files..

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eggleston et al. (5,771,353) discloses a system with a virtual session management between a server and a user.

Haas (5,598,534) discloses a system for distributing processing between a mobile device a remote computing device.

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Chase, Jr. (5,974,238) discloses an automatic data synchronization system between a hand held and a host computer.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is (703) 305-4772. The examiner can normally be reached on M-F from 7:30AM to 5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chang, can be reached on (703) 308-6739.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700. The Group fax numbers are (703) 308-6306 and (703) 308-6296.

Serial Number: 09/220,016

*CA*  
Charles Appiah

July 30, 2001.

  
VIVIAN CHANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800